

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, state bar number, and address</i>): _____ TELEPHONE NO.: E-MAIL ADDRESS (<i>Optional</i>): ATTORNEY FOR (<i>Name</i>):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT: EMPLOYEE:	
ORDER TO SHOW CAUSE (Workplace Violence) <input type="checkbox"/> and Temporary Restraining Order (CLETS)	CASE NUMBER:

THIS ORDER SHALL EXPIRE AT THE DATE AND THE TIME OF THE HEARING SHOWN IN THE BOX BELOW UNLESS EXTENDED BY THE COURT.

1. To Defendant (*name*):
2. YOU ARE ORDERED to appear in this court at the date, time, and place shown in the box below to give any legal reason why the order sought and the other relief requested in the petition should not be granted.

NOTICE OF HEARING

a. Date:	Time:	Dept.:	Room:
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- b. The address of the court where the hearing will be held ☐ is shown above ☐ is (*specify*):

3. IT IS FURTHER ORDERED that
 - a. Plaintiff shall serve this *Order to Show Cause*, the attached *Petition* (form WV-100), and any other supporting papers by (*specify manner of service*) no later than (*date*):
 - b. Any opposition papers shall be filed and served on plaintiff by (*specify manner of service*): no later than (*date*):
 - c. Any reply papers shall be filed and served by (*specify manner of service*): no later than (*date*):
 - d. Proof of service of plaintiff's papers shall be delivered to the court hearing the *Order to Show Cause* no later than (*date*):
4. You have the right to attend the hearing to oppose the petition, with or without an attorney. If you do not attend the hearing, the court may grant the requested orders without any further notice to you. The court may make these orders enforceable for a period not to exceed three years, after which they may be renewed, by filing a new *Petition for Injunction*. You should read the instructions on page two of this form. A complete instruction booklet (form WV-150) is available from the clerk's office located at the court shown above.

Date:

 JUDICIAL OFFICER
☐ SIGNATURE FOLLOWS LAST ATTACHMENT

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

INSTRUCTIONS FOR THE DEFENDANT

- A. If you are served with an *Order to Show Cause (Workplace Violence)* **[OSC]** (form WV-120) and a *Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* **[Petition]** (form WV-100), you should promptly seek legal advice. If you have no attorney, the attorney's reference service of your local bar association may be of assistance.
- B. Read the papers served on you very carefully. The **OSC** tells you when to appear in court and may contain a temporary restraining order forbidding you from doing certain things. **If you disobey the court's orders, criminal charges may be filed against you.**
- C. If you wish to oppose the **Petition**, or make your own request for court orders, you should file a *Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* **[Response]** (form WV-110).

In addition to the **Response**, you may file and serve declarations signed by persons who have personal knowledge of the facts. A declaration form (form MC-031) is available from the clerk's office of the court shown on page one of this form. If you do not know how to prepare a declaration, you should see an attorney. After you have filed the **Response** with the clerk of the court, a copy must be delivered personally or by mail to the plaintiff or the plaintiff's attorney.

You cannot serve the plaintiff yourself. The person who serves the plaintiff should complete and sign a *Proof of Service of Completed Response (Workplace Violence)* (form WV-131). You should take the completed form back to the court clerk or bring it with you to the hearing.

- D. If you wish to oppose the petition, in addition to filing a **Response** you should be present at the hearing. If you have any witnesses, they must also be present.
- E. A complete instruction booklet entitled *Instructions for Petitions to Prohibit Workplace Violence* (form WV-150) is available from the clerk's office at the court shown on page one of this form.

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

TEMPORARY RESTRAINING ORDER

THE COURT FINDS

5. a. The defendant is (name):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Ht.: _____ Wt.: _____ Hair color: _____ Eye color: _____ Race: _____ Age: _____ Date of birth: _____

b. The protected employee is (name):

c. Protected family or household members who reside with employee are:

(1) (Name):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of birth: _____

(2) (Name):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of birth: _____

(3) (Name):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of birth: _____

☐ Continued on Attachment 5c.

UNTIL THE TIME OF HEARING, IT IS ORDERED

6. **Defendant** is prohibited from further violence or threats of violence against the protected persons
and **SPECIFICALLY IT IS ORDERED THAT DEFENDANT**

- a. ☐ shall not assault, batter, or stalk the employee and other protected persons
- b. ☐ shall not follow or stalk the employee and other protected persons to or from the place of work
- c. ☐ shall not follow the employee and other protected persons during hours of employment
- d. ☐ shall not telephone or send correspondence to the employee and other protected persons by **any** means including, but not limited to, the use of the public or private mails, interoffice mail, fax, or computer e-mail
- e. ☐ shall not enter the workplace of the employee and other protected persons
- f. ☐ other (specify):

7. ☐ Defendant is ordered to stay at least (specify): _____ yards away from the following persons and places (the addresses of the places are optional and may be kept confidential):

- a. ☐ Employee and other protected persons named in item 5.
- b. ☐ Residence of employee and other protected persons (address optional):
- c. ☐ Place of work of employee and other protected persons (address optional):
- d. ☐ School or place of child care of children of employee and other protected persons (address optional):
- e. ☐ The employee's and other protected persons' vehicles
- f. ☐ Other (specify):
(address optional):

8. ☐ Contacts relating to pickup and delivery of children under a court order or a court-approved stipulation of the parties arrived at during mediation shall be permitted, unless a criminal domestic protective or restraining order prohibits such contacts.

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

9. ☐ OTHER ORDERS (specify):

10. **MANDATORY FIREARM RELINQUISHMENT**

The restrained person must surrender to local law enforcement or sell to a licensed gun dealer any firearm in or subject to his or her immediate possession or control within

- a. ☐ 24 hours after issuance of this order (if restrained person is present at hearing).
- b. ☐ 24 hours after service of this order (if restrained person is not present at hearing).
- c. ☐ other (specify):

The restrained person shall file a receipt with the court showing compliance with this order within 72 hours of receiving this order.

11. ☐ Application for an order shortening time is granted and the following documents shall be personally served on the defendant no less than (specify number): days before the time set for hearing:
- a. Order to Show Cause and Temporary Restraining Order (CLETS) (Workplace Violence) (form WV-120)
 - b. Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee (Workplace Violence) (WV-100)
 - c. blank Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee (Workplace Violence) (WV-110)
 - d. blank Proof of Service of Completed Response (form WV-131)
 - e. other (specify):

12. By the close of business on the date of this order, a copy of this order and any proof of service shall be given to the law enforcement agencies listed below as follows:

- a. ☐ Plaintiff shall deliver.
- b. ☐ Plaintiff's attorney shall deliver.

Law enforcement agency

Address

Date:

☐ JUDICIAL OFFICER
SIGNATURE FOLLOWS LAST ATTACHMENT

This order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If proof of service on the restrained person has not been received, and the restrained person was not present at the court hearing, the law enforcement agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this restraining order are subject to criminal penalties.

NOTICE REGARDING FIREARMS

Any person subject to a restraining order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment.